



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. KBB 2005 - 9

LOUISIANA FEDERAL PROPERTY ASSISTANCE AGENCY

- WHEREAS,** Public Law 94-519, enacted on October 17, 1976, amended the Federal Property and Administrative Act of 1949, 40 U.S.C. 484., *et seq.*, to permit the donation of federal surplus personal property to the states, local government, eligible 501(c)(3) not-for-profit organizations, Small Business Administration 8A program participants, for public purposes, and for other purposes;
- WHEREAS,** the U.S. General Services Administration within the executive branch of the United States Government is the designated federal agency which allocates the surplus property among the states in a fair and equitable manner, pursuant to criteria, which are based on need and utilization;
- WHEREAS,** after the Administrator of U.S. General Services Administration transfers the surplus property to a designated state agency, the property is distributed by the state agency: 1) to public agencies for carrying out or promoting one or more public purposes, which includes but are not limited to, conservation, economic development, education, parks and recreation, public health and public safety; 2) to nonprofit educational or public health institutions or organizations, including medical institutions, hospitals, health clinics, schools, colleges, universities, schools for the mentally retarded or physically handicapped, child care centers, and certain radio and television stations; and 3) Small Business Administration 8A program participants;
- WHEREAS,** before any property may be transferred to a state agency by the administrator of the U.S. General Services Administration, the state shall develop, according to state law, a detailed plan of operation, developed in conformity with federal law, which includes adequate assurance for the federal government that the state agency has the necessary organizational and operational authority and capability, including staff, facilities, means and methods of financing, and procedures with respect to: accountability, internal and external audits, cooperative agreements, compliance and utilization reviews, equitable distribution and property disposal, determination of eligibility, and assistance through consultation with advisory bodies and public and private groups;
- WHEREAS,** a permanent, revised plan of operation must be submitted to the administrator of the U.S. General Services Administration for approval in order that the state and/or state program may continue to qualify under Public Law 94-519;
- WHEREAS,** in addition to the federal surplus personal property that may be transferred to the states pursuant to the Federal Property and Administrative Act of 1949, as amended, under 10 U.S.C. 2576 a, added by Public Law 104-181, the secretary of Defense may also transfer to federal and state agencies the personal property of the Department of Defense, including small arms and ammunition, which the secretary of Defense determines is excess to the needs of the Department of Defense, but suitable for use by state and federal agencies in law enforcement activities, such as counter-drug and counter-terrorism actions; and
- WHEREAS,** the U.S. General Services Administration (GSA Fleet Management) within the executive branch of the United States Government, is the designated federal agency which allows the sale of federal fleet turn-in vehicles to state government. Authority is granted under the Code of Federal Regulations: 41CFR 101-45.304-12. These vehicles will be resold to state and local government organizations, eligible 501(c)(3) not-for-profit organizations, and Small Business Administration 8A program participants for public and other purposes;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

- SECTION 1:** The Federal Property Assistance Program is hereby renamed the Louisiana Federal Property Assistance Agency (hereafter **Agency**)
- SECTION 2:** The Agency shall submit a revised Plan of Operation to the administrator of the U.S. General Services Administration for approval so that the state and/or public agencies of the state of Louisiana may participate or continue to participate as donees under the Federal Property and Administrative Services Act of 1949, as amended.
- SECTION 3:** The Agency shall be responsible for carrying out the provisions of the Plan of Operation, as approved by the administrator of the U.S. General Services Administration, and the fixed price vehicle resale program, as prescribed by the GSA Fleet Management within the executive branch of the United States Government.
- SECTION 4:** The Agency shall be responsible for carrying out the provisions of the Plan of Operation, as approved by the administrator of the U.S. General Services Administration, and the counter-drug program, counter-terrorism and law enforcement activities, as prescribed by the secretary of Defense.
- SECTION 5:** The Agency shall be a unit within the Office of General Services, a section of the Division of Administration, within the executive branch, Office of the Governor. The agency assistant director shall report to the commissioner of administration, through the director of the Agency.
- SECTION 6:** The director of the Agency, acting through the agency assistant director, shall possess all power and authority necessary to exercise and perform all the functions, duties, and responsibilities cited in the revised Plan of Operation, so as to comply with all applicable state and federal laws and regulations.
- SECTION 7:** All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Agency in implementing the provisions of this Order.
- SECTION 8:** This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 28th day of March, 2005.

/S/ Kathleen Babineaux Blanco
GOVERNOR OF LOUISIANA



ATTEST BY
THE GOVERNOR

/S/ Fox W. McKeithen
SECRETARY OF STATE